

FIRST REGULAR SESSION

[CORRECTED]

[PERFECTED]

SENATE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 82

94TH GENERAL ASSEMBLY

Reported from the Committee on Transportation, March 1, 2007, with recommendation that the Senate Committee Substitute do pass.

Senate Committee Substitute for Senate Bill No. 82, adopted March 28, 2007.

Taken up for Perfection March 28, 2007. Bill declared Perfected and Ordered Printed, as amended.

TERRY L. SPIELER, Secretary.

0319S.02P

AN ACT

To repeal sections 301.010, 301.020, 301.196, 301.227, 301.560, 301.640, 304.022, 304.170, and 407.815, RSMo, and section 301.190 as enacted by house committee substitute for senate substitute no. 2 for senate committee substitute for senate bill no. 583, ninety-third general assembly, second regular session and section 301.190 as enacted by senate substitute for senate committee substitute for house bill no. 487 merged with senate bill no. 488, ninety-third general assembly, first regular session, and to enact in lieu thereof eleven new sections relating to the regulation of certain motor vehicles, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Sections 301.010, 301.020, 301.196, 301.227, 301.560, 301.640, 2 304.022, 304.170, and 407.815, RSMo, and section 301.190 as enacted by house 3 committee substitute for senate substitute no. 2 for senate committee substitute 4 for senate bill no. 583, ninety-third general assembly, second regular session and 5 section 301.190 as enacted by senate substitute for senate committee substitute 6 for house bill no. 487 merged with senate bill no. 488, ninety-third general 7 assembly, first regular session, are repealed and eleven new sections enacted in 8 lieu thereof, to be known as sections 301.010, 301.020, 301.125, 301.190, 301.196, 9 301.227, 301.560, 301.640, 304.022, 304.170, and 407.815, to read as follows:

301.010. As used in this chapter and sections 304.010 to 304.040, 304.120 2 to 304.260, RSMo, and sections 307.010 to 307.175, RSMo, the following terms

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

3 mean:

4 (1) "All-terrain vehicle", any motorized vehicle manufactured and used
5 exclusively for off-highway use which is fifty inches or less in width, with an
6 unladen dry weight of one thousand pounds or less, traveling on three, four or
7 more low pressure tires, with a seat designed to be straddled by the operator, or
8 with a seat designed to carry more than one person, and handlebars for steering
9 control;

10 (2) "Automobile transporter", any vehicle combination designed and used
11 specifically for the transport of assembled motor vehicles;

12 (3) "Axle load", the total load transmitted to the road by all wheels whose
13 centers are included between two parallel transverse vertical planes forty inches
14 apart, extending across the full width of the vehicle;

15 (4) "Boat transporter", any vehicle combination designed and used
16 specifically to transport assembled boats and boat hulls;

17 (5) "Body shop", a business that repairs physical damage on motor
18 vehicles that are not owned by the shop or its officers or employees by mending,
19 straightening, replacing body parts, or painting;

20 (6) "Bus", a motor vehicle primarily for the transportation of a driver and
21 eight or more passengers but not including shuttle buses;

22 (7) "Commercial motor vehicle", a motor vehicle designed or regularly used
23 for carrying freight and merchandise, or more than eight passengers but not
24 including vanpools or shuttle buses;

25 (8) "Cotton trailer", a trailer designed and used exclusively for
26 transporting cotton at speeds less than forty miles per hour from field to field or
27 from field to market and return;

28 (9) "Dealer", any person, firm, corporation, association, agent or subagent
29 engaged in the sale or exchange of new, used or reconstructed motor vehicles or
30 trailers;

31 (10) "Director" or "director of revenue", the director of the department of
32 revenue;

33 (11) "Driveaway operation":

34 (a) The movement of a motor vehicle or trailer by any person or motor
35 carrier other than a dealer over any public highway, under its own power singly,
36 or in a fixed combination of two or more vehicles, for the purpose of delivery for
37 sale or for delivery either before or after sale;

38 (b) The movement of any vehicle or vehicles, not owned by the transporter,

39 constituting the commodity being transported, by a person engaged in the
40 business of furnishing drivers and operators for the purpose of transporting
41 vehicles in transit from one place to another by the driveaway or towaway
42 methods; or

43 (c) The movement of a motor vehicle by any person who is lawfully
44 engaged in the business of transporting or delivering vehicles that are not the
45 person's own and vehicles of a type otherwise required to be registered, by the
46 driveaway or towaway methods, from a point of manufacture, assembly or
47 distribution or from the owner of the vehicles to a dealer or sales agent of a
48 manufacturer or to any consignee designated by the shipper or consignor;

49 (12) "Dromedary", a box, deck, or plate mounted behind the cab and
50 forward of the fifth wheel on the frame of the power unit of a truck
51 tractor-semitrailer combination. A truck tractor equipped with a dromedary may
52 carry part of a load when operating independently or in a combination with a
53 semitrailer;

54 (13) "Farm tractor", a tractor used exclusively for agricultural purposes;

55 (14) "Fleet", any group of ten or more motor vehicles owned by the same
56 owner;

57 (15) "Fleet vehicle", a motor vehicle which is included as part of a fleet;

58 (16) "Fullmount", a vehicle mounted completely on the frame of either the
59 first or last vehicle in a saddlemount combination;

60 (17) "Gross weight", the weight of vehicle and/or vehicle combination
61 without load, plus the weight of any load thereon;

62 (18) "Hail-damaged vehicle", any vehicle, the body of which has become
63 dented as the result of the impact of hail;

64 (19) "Highway", any public thoroughfare for vehicles, including state
65 roads, county roads and public streets, avenues, boulevards, parkways or alleys
66 in any municipality;

67 (20) "Improved highway", a highway which has been paved with gravel,
68 macadam, concrete, brick or asphalt, or surfaced in such a manner that it shall
69 have a hard, smooth surface;

70 (21) "Intersecting highway", any highway which joins another, whether
71 or not it crosses the same;

72 (22) "Junk vehicle", a vehicle which is incapable of operation or use upon
73 the highways and has no resale value except as a source of parts or scrap, and
74 shall not be titled or registered;

75 (23) "Kit vehicle", a motor vehicle assembled by a person other than a
76 generally recognized manufacturer of motor vehicles by the use of a glider kit or
77 replica purchased from an authorized manufacturer and accompanied by a
78 manufacturer's statement of origin;

79 (24) "Land improvement contractors' commercial motor vehicle", any
80 not-for-hire commercial motor vehicle the operation of which is confined to:

81 (a) An area that extends not more than a radius of one hundred miles
82 from its home base of operations when transporting its owner's machinery,
83 equipment, or auxiliary supplies to or from projects involving soil and water
84 conservation, or to and from equipment dealers' maintenance facilities for
85 maintenance purposes; or

86 (b) An area that extends not more than a radius of fifty miles from its
87 home base of operations when transporting its owner's machinery, equipment, or
88 auxiliary supplies to or from projects not involving soil and water conservation.
89 Nothing in this subdivision shall be construed to prevent any motor vehicle from
90 being registered as a commercial motor vehicle or local commercial motor vehicle;

91 (25) "Local commercial motor vehicle", a commercial motor vehicle whose
92 operations are confined solely to a municipality and that area extending not more
93 than fifty miles therefrom, or a commercial motor vehicle whose property-carrying
94 operations are confined solely to the transportation of property owned by any
95 person who is the owner or operator of such vehicle to or from a farm owned by
96 such person or under the person's control by virtue of a landlord and tenant lease;
97 provided that any such property transported to any such farm is for use in the
98 operation of such farm;

99 (26) "Local log truck", a commercial motor vehicle which is registered
100 pursuant to this chapter to operate as a motor vehicle on the public highways of
101 this state, used exclusively in this state, used to transport harvested forest
102 products, operated solely at a forested site and in an area extending not more
103 than a [fifty-mile] **one hundred-mile** radius from such site, carries a load with
104 dimensions not in excess of twenty-five cubic yards per two axles with dual
105 wheels, and when operated on the national system of interstate and defense
106 highways described in Title 23, Section 103(e) of the United States Code, such
107 vehicle shall not exceed the weight limits of section 304.180, RSMo, does not have
108 more than four axles, and does not pull a trailer which has more than two
109 axles. Harvesting equipment which is used specifically for cutting, felling,
110 trimming, delimiting, debarking, chipping, skidding, loading, unloading, and

111 stacking may be transported on a local log truck. A local log truck may not
112 exceed the limits required by law, however, if the truck does exceed such limits
113 as determined by the inspecting officer, then notwithstanding any other
114 provisions of law to the contrary, such truck shall be subject to the weight limits
115 required by such sections as licensed for eighty thousand pounds;

116 (27) "Local log truck tractor", a commercial motor vehicle which is
117 registered under this chapter to operate as a motor vehicle on the public
118 highways of this state, used exclusively in this state, used to transport harvested
119 forest products, operated solely at a forested site and in an area extending not
120 more than a [fifty-mile] **one hundred-mile** radius from such site, operates with
121 a weight not exceeding twenty-two thousand four hundred pounds on one axle or
122 with a weight not exceeding forty-four thousand eight hundred pounds on any
123 tandem axle, and when operated on the national system of interstate and defense
124 highways described in Title 23, Section 103(e) of the United States Code, such
125 vehicle does not exceed the weight limits contained in section 304.180, RSMo, and
126 does not have more than three axles and does not pull a trailer which has more
127 than two axles. Violations of axle weight limitations shall be subject to the load
128 limit penalty as described for in sections 304.180 to 304.220, RSMo;

129 (28) "Local transit bus", a bus whose operations are confined wholly
130 within a municipal corporation, or wholly within a municipal corporation and a
131 commercial zone, as defined in section 390.020, RSMo, adjacent thereto, forming
132 a part of a public transportation system within such municipal corporation and
133 such municipal corporation and adjacent commercial zone;

134 (29) "Log truck", a vehicle which is not a local log truck or local log truck
135 tractor and is used exclusively to transport harvested forest products to and from
136 forested sites which is registered pursuant to this chapter to operate as a motor
137 vehicle on the public highways of this state for the transportation of harvested
138 forest products;

139 (30) "Major component parts", the rear clip, cowl, frame, body, cab,
140 front-end assembly, and front clip, as those terms are defined by the director of
141 revenue pursuant to rules and regulations or by illustrations;

142 (31) "Manufacturer", any person, firm, corporation or association engaged
143 in the business of manufacturing or assembling motor vehicles, trailers or vessels
144 for sale;

145 (32) "Mobile scrap processor", a business located in Missouri or any other
146 state that comes onto a salvage site and crushes motor vehicles and parts for

147 transportation to a shredder or scrap metal operator for recycling;

148 (33) "Motor change vehicle", a vehicle manufactured prior to August, 1957,
149 which receives a new, rebuilt or used engine, and which used the number
150 stamped on the original engine as the vehicle identification number;

151 (34) "Motor vehicle", any self-propelled vehicle not operated exclusively
152 upon tracks, except farm tractors;

153 (35) "Motor vehicle primarily for business use", any vehicle other than a
154 recreational motor vehicle, motorcycle, motortricycle, or any commercial motor
155 vehicle licensed for over twelve thousand pounds:

156 (a) Offered for hire or lease; or

157 (b) The owner of which also owns ten or more such motor vehicles;

158 (36) "Motorcycle", a motor vehicle operated on two wheels;

159 (37) "Motorized bicycle", any two-wheeled or three-wheeled device having
160 an automatic transmission and a motor with a cylinder capacity of not more than
161 fifty cubic centimeters, which produces less than three gross brake horsepower,
162 and is capable of propelling the device at a maximum speed of not more than
163 thirty miles per hour on level ground;

164 (38) "Motortricycle", a motor vehicle operated on three wheels, including
165 a motorcycle while operated with any conveyance, temporary or otherwise,
166 requiring the use of a third wheel. A motortricycle shall not be included in the
167 definition of all-terrain vehicle;

168 (39) "Municipality", any city, town or village, whether incorporated or not;

169 (40) "Nonresident", a resident of a state or country other than the state
170 of Missouri;

171 (41) "Non-USA-std motor vehicle", a motor vehicle not originally
172 manufactured in compliance with United States emissions or safety standards;

173 (42) "Operator", any person who operates or drives a motor vehicle;

174 (43) "Owner", any person, firm, corporation or association, who holds the
175 legal title to a vehicle or in the event a vehicle is the subject of an agreement for
176 the conditional sale or lease thereof with the right of purchase upon performance
177 of the conditions stated in the agreement and with an immediate right of
178 possession vested in the conditional vendee or lessee, or in the event a mortgagor
179 of a vehicle is entitled to possession, then such conditional vendee or lessee or
180 mortgagor shall be deemed the owner for the purpose of this law;

181 (44) "Public garage", a place of business where motor vehicles are housed,
182 stored, repaired, reconstructed or repainted for persons other than the owners or

183 operators of such place of business;

184 (45) "Rebuilder", a business that repairs or rebuilds motor vehicles owned
185 by the rebuilder, but does not include certificated common or contract carriers of
186 persons or property;

187 (46) "Reconstructed motor vehicle", a vehicle that is altered from its
188 original construction by the addition or substitution of two or more new or used
189 major component parts, excluding motor vehicles made from all new parts, and
190 new multistage manufactured vehicles;

191 (47) "Recreational motor vehicle", any motor vehicle designed, constructed
192 or substantially modified so that it may be used and is used for the purposes of
193 temporary housing quarters, including therein sleeping and eating facilities
194 which are either permanently attached to the motor vehicle or attached to a unit
195 which is securely attached to the motor vehicle. Nothing herein shall prevent any
196 motor vehicle from being registered as a commercial motor vehicle if the motor
197 vehicle could otherwise be so registered;

198 (48) "Rollback or car carrier", any vehicle specifically designed to
199 transport wrecked, disabled or otherwise inoperable vehicles, when the
200 transportation is directly connected to a wrecker or towing service;

201 (49) "Saddlemount combination", a combination of vehicles in which a
202 truck or truck tractor tows one or more trucks or truck tractors, each connected
203 by a saddle to the frame or fifth wheel of the vehicle in front of it. The "saddle"
204 is a mechanism that connects the front axle of the towed vehicle to the frame or
205 fifth wheel of the vehicle in front and functions like a fifth wheel kingpin
206 connection. When two vehicles are towed in this manner the combination is
207 called a "double saddlemount combination". When three vehicles are towed in
208 this manner, the combination is called a "triple saddlemount combination";

209 (50) "Salvage dealer and dismantler", a business that dismantles used
210 motor vehicles for the sale of the parts thereof, and buys and sells used motor
211 vehicle parts and accessories;

212 (51) "Salvage vehicle", a motor vehicle, semitrailer, or house trailer which:

213 (a) **[Has been] Was damaged during a year that is no more than**
214 **three years after the manufacturer's model year designation for such**
215 **vehicle** to the extent that the total cost of repairs to rebuild or reconstruct the
216 vehicle to its condition immediately before it was damaged for legal operation on
217 the roads or highways exceeds **[seventy-five] eighty** percent of the fair market
218 value of the vehicle immediately preceding the time it was damaged;

219 (b) By reason of condition or circumstance, has been declared salvage,
220 either by its owner, or by a person, firm, corporation, or other legal entity
221 exercising the right of security interest in it;

222 (c) Has been declared salvage by an insurance company as a result of
223 settlement of a claim [for loss due to damage or theft];

224 (d) Ownership of which is evidenced by a salvage title; or

225 (e) Is abandoned property which is titled pursuant to section 304.155,
226 RSMo, or section 304.157, RSMo, and designated with the words
227 "salvage/abandoned property".

228 The total cost of repairs to rebuild or reconstruct the vehicle shall not include the
229 cost of repairing, replacing, **or damage as a result of hail**, or reinstalling
230 inflatable safety restraints, tires, sound systems, or any sales tax on parts or
231 materials to rebuild or reconstruct the vehicle. For purposes of this definition,
232 "fair market value" means the retail value of a motor vehicle as:

233 a. Set forth in a current edition of any nationally recognized compilation
234 of retail values, including automated databases, or from publications commonly
235 used by the automotive and insurance industries to establish the values of motor
236 vehicles;

237 b. Determined pursuant to a market survey of comparable vehicles with
238 regard to condition and equipment; and

239 c. Determined by an insurance company using any other procedure
240 recognized by the insurance industry, including market surveys, that is applied
241 by the company in a uniform manner;

242 (52) "School bus", any motor vehicle used solely to transport students to
243 or from school or to transport students to or from any place for educational
244 purposes;

245 (53) "Shuttle bus", a motor vehicle used or maintained by any person,
246 firm, or corporation as an incidental service to transport patrons or customers of
247 the regular business of such person, firm, or corporation to and from the place of
248 business of the person, firm, or corporation providing the service at no fee or
249 charge. Shuttle buses shall not be registered as buses or as commercial motor
250 vehicles;

251 (54) "Special mobile equipment", every self-propelled vehicle not designed
252 or used primarily for the transportation of persons or property and incidentally
253 operated or moved over the highways, including farm equipment, implements of
254 husbandry, road construction or maintenance machinery, ditch-digging apparatus,

255 stone crushers, air compressors, power shovels, cranes, graders, rollers,
256 well-drillers and wood-sawing equipment used for hire, asphalt spreaders,
257 bituminous mixers, bucket loaders, ditchers, leveling graders, finished machines,
258 motor graders, road rollers, scarifiers, earth-moving carryalls, scrapers, drag
259 lines, concrete pump trucks, rock-drilling and earth-moving equipment. This
260 enumeration shall be deemed partial and shall not operate to exclude other such
261 vehicles which are within the general terms of this section;

262 (55) "Specially constructed motor vehicle", a motor vehicle which shall not
263 have been originally constructed under a distinctive name, make, model or type
264 by a manufacturer of motor vehicles. The term "specially constructed motor
265 vehicle" includes kit vehicles;

266 (56) "Stinger-steered combination", a truck tractor-semitrailer wherein the
267 fifth wheel is located on a drop frame located behind and below the rearmost axle
268 of the power unit;

269 (57) "Tandem axle", a group of two or more axles, arranged one behind
270 another, the distance between the extremes of which is more than forty inches
271 and not more than ninety-six inches apart;

272 (58) "Tractor", "truck tractor" or "truck-tractor", a self-propelled motor
273 vehicle designed for drawing other vehicles, but not for the carriage of any load
274 when operating independently. When attached to a semitrailer, it supports a part
275 of the weight thereof;

276 (59) "Trailer", any vehicle without motive power designed for carrying
277 property or passengers on its own structure and for being drawn by a
278 self-propelled vehicle, except those running exclusively on tracks, including a
279 semitrailer or vehicle of the trailer type so designed and used in conjunction with
280 a self-propelled vehicle that a considerable part of its own weight rests upon and
281 is carried by the towing vehicle. The term "trailer" shall not include cotton
282 trailers as defined in subdivision (8) of this section and shall not include
283 manufactured homes as defined in section 700.010, RSMo;

284 (60) "Truck", a motor vehicle designed, used, or maintained for the
285 transportation of property;

286 (61) "Truck-tractor semitrailer-semitrailer", a combination vehicle in
287 which the two trailing units are connected with a B-train assembly which is a
288 rigid frame extension attached to the rear frame of a first semitrailer which
289 allows for a fifth-wheel connection point for the second semitrailer and has one
290 less articulation point than the conventional "A dolly" connected truck-tractor

291 semitrailer-trailer combination;

292 (62) "Truck-trailer boat transporter combination", a boat transporter
293 combination consisting of a straight truck towing a trailer using typically a ball
294 and socket connection with the trailer axle located substantially at the trailer
295 center of gravity rather than the rear of the trailer but so as to maintain a
296 downward force on the trailer tongue;

297 (63) "Used parts dealer", a business that buys and sells used motor vehicle
298 parts or accessories, but not including a business that sells only new,
299 remanufactured or rebuilt parts. "Business" does not include isolated sales at a
300 swap meet of less than three days;

301 (64) "Vanpool", any van or other motor vehicle used or maintained by any
302 person, group, firm, corporation, association, city, county or state agency, or any
303 member thereof, for the transportation of not less than eight nor more than
304 forty-eight employees, per motor vehicle, to and from their place of employment;
305 however, a vanpool shall not be included in the definition of the term "bus" or
306 "commercial motor vehicle" as defined by subdivisions (6) and (7) of this section,
307 nor shall a vanpool driver be deemed a "chauffeur" as that term is defined by
308 section 302.010, RSMo; nor shall use of a vanpool vehicle for ride-sharing
309 arrangements, recreational, personal, or maintenance uses constitute an
310 unlicensed use of the motor vehicle, unless used for monetary profit other than
311 for use in a ride-sharing arrangement;

312 (65) "Vehicle", any mechanical device on wheels, designed primarily for
313 use, or used, on highways, except motorized bicycles, vehicles propelled or drawn
314 by horses or human power, or vehicles used exclusively on fixed rails or tracks,
315 or cotton trailers or motorized wheelchairs operated by handicapped persons;

316 (66) "Wrecker" or "tow truck", any emergency commercial vehicle
317 equipped, designed and used to assist or render aid and transport or tow disabled
318 or wrecked vehicles from a highway, road, street or highway rights-of-way to a
319 point of storage or repair, including towing a replacement vehicle to replace a
320 disabled or wrecked vehicle;

321 (67) "Wrecker or towing service", the act of transporting, towing or
322 recovering with a wrecker, tow truck, rollback or car carrier any vehicle not
323 owned by the operator of the wrecker, tow truck, rollback or car carrier for which
324 the operator directly or indirectly receives compensation or other personal gain.

301.020. 1. Every owner of a motor vehicle or trailer, which shall be
2 operated or driven upon the highways of this state, except as herein otherwise

3 expressly provided, shall annually file, by mail or otherwise, in the office of the
4 director of revenue, an application for registration on a blank to be furnished by
5 the director of revenue for that purpose containing:

6 (1) A brief description of the motor vehicle or trailer to be registered,
7 including the name of the manufacturer, the vehicle identification number, the
8 amount of motive power of the motor vehicle, stated in figures of horsepower and
9 whether the motor vehicle is to be registered as a motor vehicle primarily for
10 business use as defined in section 301.010;

11 (2) The name, the applicant's identification number and address of the
12 owner of such motor vehicle or trailer;

13 (3) The gross weight of the vehicle and the desired load in pounds if the
14 vehicle is a commercial motor vehicle or trailer.

15 2. If the vehicle is a motor vehicle primarily for business use as defined
16 in section 301.010 and if such vehicle is five years of age or less, the director of
17 revenue shall retain the odometer information provided in the vehicle inspection
18 report, and provide for prompt access to such information, together with the
19 vehicle identification number for the motor vehicle to which such information
20 pertains, for a period of five years after the receipt of such information. This
21 section shall not apply unless:

22 (1) The application for the vehicle's certificate of ownership was submitted
23 after July 1, 1989; and

24 (2) The certificate was issued pursuant to a manufacturer's statement of
25 origin.

26 3. If the vehicle is any motor vehicle other than a motor vehicle primarily
27 for business use, a recreational motor vehicle, motorcycle, motortricycle, bus or
28 any commercial motor vehicle licensed for over twelve thousand pounds and if
29 such motor vehicle is five years of age or less, the director of revenue shall retain
30 the odometer information provided in the vehicle inspection report, and provide
31 for prompt access to such information, together with the vehicle identification
32 number for the motor vehicle to which such information pertains, for a period of
33 five years after the receipt of such information. This subsection shall not apply
34 unless:

35 (1) The application for the vehicle's certificate of ownership was submitted
36 after July 1, 1990; and

37 (2) The certificate was issued pursuant to a manufacturer's statement of
38 origin.

39 4. If the vehicle qualifies as a reconstructed motor vehicle, motor change
40 vehicle, specially constructed motor vehicle, non-USA-std motor vehicle, as
41 defined in section 301.010, or prior salvage as referenced in section 301.573, the
42 owner or lienholder shall surrender the certificate of ownership. The owner shall
43 make an application for a new certificate of ownership, pay the required title fee,
44 and obtain the vehicle examination certificate required pursuant to subsection 9
45 of section 301.190. If an insurance company [which] pays a claim on a salvage
46 vehicle as defined in section 301.010 and the [insured is retaining ownership of]
47 **owner retains** the vehicle, as prior salvage, the vehicle shall only be required
48 to meet the examination requirements under and pursuant to subsection 10 of
49 section 301.190. Notarized bills of sale along with a copy of the front and back
50 of the certificate of ownership for all major component parts installed on the
51 vehicle and invoices for all essential parts which are not defined as major
52 component parts shall accompany the application for a new certificate of
53 ownership. If the vehicle is a specially constructed motor vehicle, as defined in
54 section 301.010, two pictures of the vehicle shall be submitted with the
55 application. If the vehicle is a kit vehicle, the applicant shall submit the invoice
56 and the manufacturer's statement of origin on the kit. If the vehicle requires the
57 issuance of a special number by the director of revenue or a replacement vehicle
58 identification number, the applicant shall submit the required application and
59 application fee. All applications required under this subsection shall be
60 submitted with any applicable taxes which may be due on the purchase of the
61 vehicle or parts. The director of revenue shall appropriately designate
62 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Non-USA-Std Motor
63 Vehicle", or "Specially Constructed Motor Vehicle" on the current and all
64 subsequent issues of the certificate of ownership of such vehicle.

65 5. Every insurance company [which] **that** pays a claim for repair of a
66 motor vehicle which as the result of such repairs becomes a reconstructed motor
67 vehicle as defined in section 301.010 or [which] **that** pays a claim on a salvage
68 vehicle as defined in section 301.010 and the [insured] **owner** is retaining
69 [ownership of] the vehicle, shall in writing notify [the claimant, if he is] the
70 owner of the vehicle, and **in a first party claim**, the lienholder if a lien is in
71 effect, that he is required to surrender the certificate of ownership, and the
72 documents and fees required pursuant to subsection 4 of this section to obtain a
73 prior salvage motor vehicle certificate of ownership or documents and fees as
74 otherwise required by law to obtain a salvage certificate of ownership, from the

75 director of revenue. The insurance company shall within thirty days of the
76 payment of such claims report to the director of revenue the name and address
77 of such [claimant] **owner**, the year, make, model, vehicle identification number,
78 and license plate number of the vehicle, and the date of loss and payment.

79 6. Anyone who fails to comply with the requirements of this section shall
80 be guilty of a class B misdemeanor.

81 7. An applicant for registration may make a donation of one dollar to
82 promote a blindness education, screening and treatment program. The director
83 of revenue shall collect the donations and deposit all such donations in the state
84 treasury to the credit of the blindness education, screening and treatment
85 program fund established in section 192.935, RSMo. Moneys in the blindness
86 education, screening and treatment program fund shall be used solely for the
87 purposes established in section 192.935, RSMo, except that the department of
88 revenue shall retain no more than one percent for its administrative costs. The
89 donation prescribed in this subsection is voluntary and may be refused by the
90 applicant for registration at the time of issuance or renewal. The director shall
91 inquire of each applicant at the time the applicant presents the completed
92 application to the director whether the applicant is interested in making the one
93 dollar donation prescribed in this subsection.

94 8. An applicant for registration may make a donation of one dollar to
95 promote an organ donor program. The director of revenue shall collect the
96 donations and deposit all such donations in the state treasury to the credit of the
97 organ donor program fund as established in sections 194.297 to 194.304,
98 RSMo. Moneys in the organ donor fund shall be used solely for the purposes
99 established in sections 194.297 to 194.304, RSMo, except that the department of
100 revenue shall retain no more than one percent for its administrative costs. The
101 donation prescribed in this subsection is voluntary and may be refused by the
102 applicant for registration at the time of issuance or renewal. The director shall
103 inquire of each applicant at the time the applicant presents the completed
104 application to the director whether the applicant is interested in making the one
105 dollar donation prescribed in this subsection.

**301.125. 1. Beginning on January 1, 2008, every motor vehicle
2 owner who replaces the license plates on his or her motor vehicle may
3 deposit the old, outdated, or expired license plates with the department
4 of revenue or its agents in a manner determined by the director. The
5 department of revenue may create a program that promotes recycling**

6 used or outdated license plates for the metal content. The director may
7 enter into contractual agreements with nonprofit organizations for the
8 collection, disposal, and recycling of used, expired, or outdated license
9 plates. Such nonprofit organizations may be those whose primary
10 mission is to prevent head injuries by promoting bicycle safety.

11 2. The director shall promulgate rules and regulations to
12 effectuate the provisions of this section. Any rule or portion of a rule,
13 as that term is defined in section 536.010, RSMo, that is created under
14 the authority delegated in this section shall become effective only if it
15 complies with and is subject to all of the provisions of chapter 536,
16 RSMo, and, if applicable, section 536.028, RSMo. This section and
17 chapter 536, RSMo, are nonseverable and if any of the powers vested
18 with the general assembly pursuant to chapter 536, RSMo, to review, to
19 delay the effective date, or to disapprove and annul a rule are
20 subsequently held unconstitutional, then the grant of rulemaking
21 authority and any rule proposed or adopted after August 28, 2007, shall
22 be invalid and void.

301.190. 1. No certificate of registration of any motor vehicle or trailer,
2 or number plate therefor, shall be issued by the director of revenue unless the
3 applicant therefor shall make application for and be granted a certificate of
4 ownership of such motor vehicle or trailer, or shall present satisfactory evidence
5 that such certificate has been previously issued to the applicant for such motor
6 vehicle or trailer. Application shall be made within thirty days after the
7 applicant acquires the motor vehicle or trailer upon a blank form furnished by the
8 director of revenue and shall contain the applicant's identification number, a full
9 description of the motor vehicle or trailer, the vehicle identification number, and
10 the mileage registered on the odometer at the time of transfer of ownership, as
11 required by section 407.536, RSMo, together with a statement of the applicant's
12 source of title and of any liens or encumbrances on the motor vehicle or trailer,
13 provided that for good cause shown the director of revenue may extend the period
14 of time for making such application.

15 2. The director of revenue shall use reasonable diligence in ascertaining
16 whether the facts stated in such application are true and shall, to the extent
17 possible without substantially delaying processing of the application, review any
18 odometer information pertaining to such motor vehicle that is accessible to the
19 director of revenue. If satisfied that the applicant is the lawful owner of such

20 motor vehicle or trailer, or otherwise entitled to have the same registered in his
21 name, the director shall thereupon issue an appropriate certificate over his
22 signature and sealed with the seal of his office, procured and used for such
23 purpose. The certificate shall contain on its face a complete description, vehicle
24 identification number, and other evidence of identification of the motor vehicle
25 or trailer, as the director of revenue may deem necessary, together with the
26 odometer information required to be put on the face of the certificate pursuant to
27 section 407.536, RSMo, a statement of any liens or encumbrances which the
28 application may show to be thereon, and, if ownership of the vehicle has been
29 transferred, the name of the state issuing the transferor's title and whether the
30 transferor's odometer mileage statement executed pursuant to section 407.536,
31 RSMo, indicated that the true mileage is materially different from the number of
32 miles shown on the odometer, or is unknown.

33 3. The director of revenue shall appropriately designate on the current
34 and all subsequent issues of the certificate the words "Reconstructed Motor
35 Vehicle", "Motor Change Vehicle", "Specially Constructed Motor Vehicle", or
36 "Non-USA-Std Motor Vehicle", as defined in section 301.010. Effective July 1,
37 1990, on all original and all subsequent issues of the certificate for motor vehicles
38 as referenced in subsections 2 and 3 of section 301.020, the director shall print
39 on the face thereof the following designation: "Annual odometer updates may be
40 available from the department of revenue.". On any duplicate certificate, the
41 director of revenue shall reprint on the face thereof the most recent of either:

42 (1) The mileage information included on the face of the immediately prior
43 certificate and the date of purchase or issuance of the immediately prior
44 certificate; or

45 (2) Any other mileage information provided to the director of revenue, and
46 the date the director obtained or recorded that information.

47 4. The certificate of ownership issued by the director of revenue shall be
48 manufactured in a manner to prohibit as nearly as possible the ability to alter,
49 counterfeit, duplicate, or forge such certificate without ready detection. In order
50 to carry out the requirements of this subsection, the director of revenue may
51 contract with a nonprofit scientific or educational institution specializing in the
52 analysis of secure documents to determine the most effective methods of
53 rendering Missouri certificates of ownership nonalterable or noncounterfeitable.

54 5. The fee for each original certificate so issued shall be eight dollars and
55 fifty cents, in addition to the fee for registration of such motor vehicle or trailer.

56 If application for the certificate is not made within thirty days after the vehicle
57 is acquired by the applicant, a delinquency penalty fee of twenty-five dollars for
58 the first thirty days of delinquency and twenty-five dollars for each thirty days
59 of delinquency thereafter, not to exceed a total of one hundred dollars before
60 November 1, 2003, and not to exceed a total of two hundred dollars on or after
61 November 1, 2003, shall be imposed, but such penalty may be waived by the
62 director for a good cause shown. If the director of revenue learns that any person
63 has failed to obtain a certificate within thirty days after acquiring a motor vehicle
64 or trailer or has sold a vehicle without obtaining a certificate, he shall cancel the
65 registration of all vehicles registered in the name of the person, either as sole
66 owner or as a co-owner, and shall notify the person that the cancellation will
67 remain in force until the person pays the delinquency penalty fee provided in this
68 section, together with all fees, charges and payments which he should have paid
69 in connection with the certificate of ownership and registration of the
70 vehicle. The certificate shall be good for the life of the motor vehicle or trailer so
71 long as the same is owned or held by the original holder of the certificate and
72 shall not have to be renewed annually.

73 6. Any applicant for a certificate of ownership requesting the department
74 of revenue to process an application for a certificate of ownership in an
75 expeditious manner requiring special handling shall pay a fee of five dollars in
76 addition to the regular certificate of ownership fee.

77 7. It is unlawful for any person to operate in this state a motor vehicle or
78 trailer required to be registered under the provisions of the law unless a
79 certificate of ownership has been issued as herein provided.

80 8. Before an original Missouri certificate of ownership is issued, an
81 inspection of the vehicle and a verification of vehicle identification numbers shall
82 be made by the Missouri state highway patrol on vehicles for which there is a
83 current title issued by another state if a Missouri salvage certificate of title has
84 been issued for the same vehicle but no prior inspection and verification has been
85 made in this state, except that if such vehicle has been inspected in another state
86 by a law enforcement officer in a manner comparable to the inspection process in
87 this state and the vehicle identification numbers have been so verified, the
88 applicant shall not be liable for the twenty-five dollar inspection fee if such
89 applicant submits proof of inspection and vehicle identification number
90 verification to the director of revenue at the time of the application. The
91 applicant, who has such a title for a vehicle on which no prior inspection and

92 verification have been made, shall pay a fee of twenty-five dollars for such
93 verification and inspection, payable to the director of revenue at the time of the
94 request for the application, which shall be deposited in the state treasury to the
95 credit of the state highways and transportation department fund.

96 9. Each application for an original Missouri certificate of ownership for
97 a vehicle which is classified as a reconstructed motor vehicle, specially
98 constructed motor vehicle, kit vehicle, motor change vehicle, non-USA-std motor
99 vehicle, or other vehicle as required by the director of revenue shall be
100 accompanied by a vehicle examination certificate issued by the Missouri state
101 highway patrol, or other law enforcement agency as authorized by the director of
102 revenue. The vehicle examination shall include a verification of vehicle
103 identification numbers and a determination of the classification of the
104 vehicle. The owner of a vehicle which requires a vehicle examination certificate
105 shall present the vehicle for examination and obtain a completed vehicle
106 examination certificate prior to submitting an application for a certificate of
107 ownership to the director of revenue. The fee for the vehicle examination
108 application shall be twenty-five dollars and shall be collected by the director of
109 revenue at the time of the request for the application and shall be deposited in
110 the state treasury to the credit of the state highways and transportation
111 department fund.

112 10. When an application is made for an original Missouri certificate of
113 ownership for a motor vehicle previously registered or titled in a state other than
114 Missouri or as required by section 301.020, it shall be accompanied by a current
115 inspection form certified by a duly authorized official inspection station as
116 described in chapter 307, RSMo. The completed form shall certify that the
117 manufacturer's identification number for the vehicle has been inspected, that it
118 is correctly displayed on the vehicle and shall certify the reading shown on the
119 odometer at the time of inspection. The inspection station shall collect the same
120 fee as authorized in section 307.365, RSMo, for making the inspection, and the
121 fee shall be deposited in the same manner as provided in section 307.365, RSMo.
122 If the vehicle is also to be registered in Missouri, the safety inspection required
123 in chapter 307, RSMo, and the emissions inspection required under chapter 643,
124 RSMo, shall be completed and only the fees required by section 307.365, RSMo,
125 and section 643.315, RSMo, shall be charged to the owner. This section shall not
126 apply to vehicles being transferred on a manufacturer's statement of origin.

127 11. Motor vehicles brought into this state in a wrecked or damaged

128 condition or after being towed as an abandoned vehicle pursuant to another
129 state's abandoned motor vehicle procedures shall, in lieu of the inspection
130 required by subsection 10 of this section, be inspected by the Missouri state
131 highway patrol in accordance with subsection 9 of this section. If the inspection
132 reveals the vehicle to be in a salvage or junk condition, the director shall so
133 indicate on any Missouri certificate of ownership issued for such vehicle. Any
134 salvage designation shall be carried forward on all subsequently issued
135 certificates of title for the motor vehicle.

136 12. When an application is made for an original Missouri certificate of
137 ownership for a motor vehicle previously registered or titled in a state other than
138 Missouri, and the certificate of ownership has been appropriately designated by
139 the issuing state as a reconstructed **salvage or junk** motor vehicle, motor
140 change vehicle, or specially constructed motor vehicle, the director of revenue
141 shall appropriately designate on the current Missouri and all subsequent issues
142 of the certificate of ownership the name of the issuing state and such prior
143 designation.

144 13. When an application is made for an original Missouri certificate of
145 ownership for a motor vehicle previously registered or titled in a state other than
146 Missouri, and the certificate of ownership has been appropriately designated by
147 the issuing state as non-USA-std motor vehicle, the director of revenue shall
148 appropriately designate on the current Missouri and all subsequent issues of the
149 certificate of ownership the words "Non-USA-Std Motor Vehicle".

150 14. The director of revenue and the superintendent of the Missouri state
151 highway patrol shall make and enforce rules for the administration of the
152 inspections required by this section.

153 15. Each application for an original Missouri certificate of ownership for
154 a vehicle which is classified as a reconstructed motor vehicle, manufactured forty
155 or more years prior to the current model year, and which has a value of three
156 thousand dollars or less shall be accompanied by:

157 (1) A proper affidavit submitted by the owner explaining how the motor
158 vehicle or trailer was acquired and, if applicable, the reasons a valid certificate
159 of ownership cannot be furnished;

160 (2) Photocopies of receipts, bills of sale establishing ownership, or titles,
161 and the source of all major component parts used to rebuild the vehicle;

162 (3) A fee of one hundred fifty dollars in addition to the fees described in
163 subsection 5 of this section. Such fee shall be deposited in the state treasury to

164 the credit of the state highways and transportation department fund; and
165 (4) An inspection certificate, other than a motor vehicle examination
166 certificate required under subsection 9 of this section, completed and issued by
167 the Missouri state highway patrol, or other law enforcement agency as authorized
168 by the director of revenue. The inspection performed by the highway patrol or
169 other authorized local law enforcement agency shall include a check for stolen
170 vehicles.
171 The department of revenue shall issue the owner a certificate of ownership
172 designated with the words "Reconstructed Motor Vehicle" and deliver such
173 certificate of ownership in accordance with the provisions of this
174 chapter. Notwithstanding subsection 9 of this section, no owner of a
175 reconstructed motor vehicle described in this subsection shall be required to
176 obtain a vehicle examination certificate issued by the Missouri state highway
177 patrol.

[301.190. 1. No certificate of registration of any motor
2 vehicle or trailer, or number plate therefor, shall be issued by the
3 director of revenue unless the applicant therefor shall make
4 application for and be granted a certificate of ownership of such
5 motor vehicle or trailer, or shall present satisfactory evidence that
6 such certificate has been previously issued to the applicant for such
7 motor vehicle or trailer. Application shall be made within thirty
8 days after the applicant acquires the motor vehicle or trailer upon
9 a blank form furnished by the director of revenue and shall contain
10 the applicant's identification number, a full description of the
11 motor vehicle or trailer, the vehicle identification number, and the
12 mileage registered on the odometer at the time of transfer of
13 ownership, as required by section 407.536, RSMo, together with a
14 statement of the applicant's source of title and of any liens or
15 encumbrances on the motor vehicle or trailer, provided that for
16 good cause shown the director of revenue may extend the period of
17 time for making such application.

18 2. The director of revenue shall use reasonable diligence in
19 ascertaining whether the facts stated in such application are true
20 and shall, to the extent possible without substantially delaying
21 processing of the application, review any odometer information
22 pertaining to such motor vehicle that is accessible to the director

23 of revenue. If satisfied that the applicant is the lawful owner of
24 such motor vehicle or trailer, or otherwise entitled to have the
25 same registered in his name, the director shall thereupon issue an
26 appropriate certificate over his signature and sealed with the seal
27 of his office, procured and used for such purpose. The certificate
28 shall contain on its face a complete description, vehicle
29 identification number, and other evidence of identification of the
30 motor vehicle or trailer, as the director of revenue may deem
31 necessary, together with the odometer information required to be
32 put on the face of the certificate pursuant to section 407.536,
33 RSMo, a statement of any liens or encumbrances which the
34 application may show to be thereon, and, if ownership of the
35 vehicle has been transferred, the name of the state issuing the
36 transferor's title and whether the transferor's odometer mileage
37 statement executed pursuant to section 407.536, RSMo, indicated
38 that the true mileage is materially different from the number of
39 miles shown on the odometer, or is unknown.

40 3. The director of revenue shall appropriately designate on
41 the current and all subsequent issues of the certificate the words
42 "Reconstructed Motor Vehicle", "Motor Change Vehicle", "Specially
43 Constructed Motor Vehicle", or "Non-USA-Std Motor Vehicle", as
44 defined in section 301.010. Effective July 1, 1990, on all original
45 and all subsequent issues of the certificate for motor vehicles as
46 referenced in subsections 2 and 3 of section 301.020, the director
47 shall print on the face thereof the following designation: "Annual
48 odometer updates may be available from the department of
49 revenue.". On any duplicate certificate, the director of revenue
50 shall reprint on the face thereof the most recent of either:

51 (1) The mileage information included on the face of the
52 immediately prior certificate and the date of purchase or issuance
53 of the immediately prior certificate; or

54 (2) Any other mileage information provided to the director
55 of revenue, and the date the director obtained or recorded that
56 information.

57 4. The certificate of ownership issued by the director of
58 revenue shall be manufactured in a manner to prohibit as nearly

59 as possible the ability to alter, counterfeit, duplicate, or forge such
60 certificate without ready detection. In order to carry out the
61 requirements of this subsection, the director of revenue may
62 contract with a nonprofit scientific or educational institution
63 specializing in the analysis of secure documents to determine the
64 most effective methods of rendering Missouri certificates of
65 ownership nonalterable or noncounterfeitable.

66 5. The fee for each original certificate so issued shall be
67 eight dollars and fifty cents, in addition to the fee for registration
68 of such motor vehicle or trailer. If application for the certificate is
69 not made within thirty days after the vehicle is acquired by the
70 applicant, a delinquency penalty fee of twenty-five dollars for the
71 first thirty days of delinquency and twenty-five dollars for each
72 thirty days of delinquency thereafter, not to exceed a total of one
73 hundred dollars before November 1, 2003, and not to exceed a total
74 of two hundred dollars on or after November 1, 2003, shall be
75 imposed, but such penalty may be waived by the director for a good
76 cause shown. If the director of revenue learns that any person has
77 failed to obtain a certificate within thirty days after acquiring a
78 motor vehicle or trailer or has sold a vehicle without obtaining a
79 certificate, he shall cancel the registration of all vehicles registered
80 in the name of the person, either as sole owner or as a co-owner,
81 and shall notify the person that the cancellation will remain in
82 force until the person pays the delinquency penalty fee provided in
83 this section, together with all fees, charges and payments which he
84 should have paid in connection with the certificate of ownership
85 and registration of the vehicle. The certificate shall be good for the
86 life of the motor vehicle or trailer so long as the same is owned or
87 held by the original holder of the certificate and shall not have to
88 be renewed annually.

89 6. Any applicant for a certificate of ownership requesting
90 the department of revenue to process an application for a certificate
91 of ownership in an expeditious manner requiring special handling
92 shall pay a fee of five dollars in addition to the regular certificate
93 of ownership fee.

94 7. It is unlawful for any person to operate in this state a

95 motor vehicle or trailer required to be registered under the
96 provisions of the law unless a certificate of ownership has been
97 issued as herein provided.

98 8. Before an original Missouri certificate of ownership is
99 issued, an inspection of the vehicle and a verification of vehicle
100 identification numbers shall be made by the Missouri state
101 highway patrol on vehicles for which there is a current title issued
102 by another state if a Missouri salvage certificate of title has been
103 issued for the same vehicle but no prior inspection and verification
104 has been made in this state, except that if such vehicle has been
105 inspected in another state by a law enforcement officer in a manner
106 comparable to the inspection process in this state and the vehicle
107 identification numbers have been so verified, the applicant shall
108 not be liable for the twenty-five dollar inspection fee if such
109 applicant submits proof of inspection and vehicle identification
110 number verification to the director of revenue at the time of the
111 application. The applicant, who has such a title for a vehicle on
112 which no prior inspection and verification have been made, shall
113 pay a fee of twenty-five dollars for such verification and inspection,
114 payable to the director of revenue at the time of the request for the
115 application, which shall be deposited in the state treasury to the
116 credit of the state highways and transportation department fund.

117 9. Each application for an original Missouri certificate of
118 ownership for a vehicle which is classified as a reconstructed motor
119 vehicle, specially constructed motor vehicle, kit vehicle, motor
120 change vehicle, non-USA-std motor vehicle, or other vehicle as
121 required by the director of revenue shall be accompanied by a
122 vehicle examination certificate issued by the Missouri state
123 highway patrol, or other law enforcement agency as authorized by
124 the director of revenue. The vehicle examination shall include a
125 verification of vehicle identification numbers and a determination
126 of the classification of the vehicle. The owner of a vehicle which
127 requires a vehicle examination certificate shall present the vehicle
128 for examination and obtain a completed vehicle examination
129 certificate prior to submitting an application for a certificate of
130 ownership to the director of revenue. The fee for the vehicle

131 examination application shall be twenty-five dollars and shall be
132 collected by the director of revenue at the time of the request for
133 the application and shall be deposited in the state treasury to the
134 credit of the state highways and transportation department fund.

135 10. When an application is made for an original Missouri
136 certificate of ownership for a motor vehicle previously registered or
137 titled in a state other than Missouri or as required by section
138 301.020, it shall be accompanied by a current inspection form
139 certified by a duly authorized official inspection station as
140 described in chapter 307, RSMo. The completed form shall certify
141 that the manufacturer's identification number for the vehicle has
142 been inspected, that it is correctly displayed on the vehicle and
143 shall certify the reading shown on the odometer at the time of
144 inspection. The inspection station shall collect the same fee as
145 authorized in section 307.365, RSMo, for making the inspection,
146 and the fee shall be deposited in the same manner as provided in
147 section 307.365, RSMo. If the vehicle is also to be registered in
148 Missouri, the safety and emissions inspections required in chapter
149 307, RSMo, shall be completed and only the fees required by
150 sections 307.365 and 307.366, RSMo, shall be charged to the
151 owner. This section shall not apply to vehicles being transferred
152 on a manufacturer's statement of origin.

153 11. Motor vehicles brought into this state in a wrecked or
154 damaged condition or after being towed as an abandoned vehicle
155 pursuant to another state's abandoned motor vehicle procedures
156 shall, in lieu of the inspection required by subsection 10 of this
157 section, be inspected by the Missouri state highway patrol in
158 accordance with subsection 9 of this section. If the inspection
159 reveals the vehicle to be in a salvage or junk condition, the director
160 shall so indicate on any Missouri certificate of ownership issued for
161 such vehicle. Any salvage designation shall be carried forward on
162 all subsequently issued certificates of title for the motor vehicle.

163 12. When an application is made for an original Missouri
164 certificate of ownership for a motor vehicle previously registered or
165 titled in a state other than Missouri, and the certificate of
166 ownership has been appropriately designated by the issuing state

167 as a reconstructed motor vehicle, motor change vehicle, or specially
168 constructed motor vehicle, the director of revenue shall
169 appropriately designate on the current Missouri and all subsequent
170 issues of the certificate of ownership the name of the issuing state
171 and such prior designation.

172 13. When an application is made for an original Missouri
173 certificate of ownership for a motor vehicle previously registered or
174 titled in a state other than Missouri, and the certificate of
175 ownership has been appropriately designated by the issuing state
176 as non-USA-std motor vehicle, the director of revenue shall
177 appropriately designate on the current Missouri and all subsequent
178 issues of the certificate of ownership the words "Non-USA-Std
179 Motor Vehicle".

180 14. The director of revenue and the superintendent of the
181 Missouri state highway patrol shall make and enforce rules for the
182 administration of the inspections required by this section.

183 15. Each application for an original Missouri certificate of
184 ownership for a vehicle which is classified as a reconstructed motor
185 vehicle, manufactured forty or more years prior to the current
186 model year, and which has a value of three thousand dollars or less
187 shall be accompanied by:

188 (1) A proper affidavit submitted by the owner explaining
189 how the motor vehicle or trailer was acquired and, if applicable, the
190 reasons a valid certificate of ownership cannot be furnished;

191 (2) Photocopies of receipts, bills of sale establishing
192 ownership, or titles, and the source of all major component parts
193 used to rebuild the vehicle;

194 (3) A fee of one hundred fifty dollars in addition to the fees
195 described in subsection 5 of this section. Such fee shall be
196 deposited in the state treasury to the credit of the state highways
197 and transportation department fund; and

198 (4) An inspection certificate, other than a motor vehicle
199 examination certificate required under subsection 9 of this section,
200 completed and issued by the Missouri state highway patrol, or
201 other law enforcement agency as authorized by the director of
202 revenue. The inspection performed by the highway patrol or other

203 authorized local law enforcement agency shall include a check for
204 stolen vehicles.

205 The department of revenue shall issue the owner a certificate of
206 ownership designated with the words "Reconstructed Motor
207 Vehicle" and deliver such certificate of ownership in accordance
208 with the provisions of this chapter. Notwithstanding subsection 9
209 of this section, no owner of a reconstructed motor vehicle described
210 in this subsection shall be required to obtain a vehicle examination
211 certificate issued by the Missouri state highway patrol.]

301.196. 1. Beginning January 1, 2006, except as otherwise provided in
2 this section, the transferor of an interest in a motor vehicle or trailer listed on the
3 face of a Missouri title, excluding salvage titles and junking certificates, shall
4 notify the department of revenue of the transfer within thirty days of the date of
5 transfer. The notice shall be in a form determined by the department by rule and
6 shall contain:

- 7 (1) A description of the motor vehicle or trailer sufficient to identify it;
- 8 (2) The vehicle identification number of the motor vehicle or trailer;
- 9 (3) The name and address of the transferee;
- 10 (4) The date of birth of the transferee, unless the transferee is not a
11 natural person;
- 12 (5) The date of the transfer or sale;
- 13 (6) The purchase price of the motor vehicle or trailer, if applicable;
- 14 (7) The number of the transferee's drivers license, unless the transferee
15 does not have a drivers license;
- 16 (8) The printed name and signature of the transferee;
- 17 (9) Any other information required by the department by rule.

18 2. For purposes of giving notice under this section, if the transfer occurs
19 by operation of law, the personal representative, receiver, trustee, sheriff, or other
20 representative or successor in interest of the person whose interest is transferred
21 shall be considered the transferor. Repossession by a creditor shall not be
22 considered a transfer of ownership requiring such notice.

23 3. The requirements of this section shall not apply to transfers when there
24 is no complete change of ownership interest or upon award of ownership of a
25 motor vehicle or trailer made by court order, or transfers of ownership of a motor
26 vehicle or trailer to or between vehicle dealers, **or transfers of ownership of**
27 **a motor vehicle or trailer to an insurance company due to a theft or**

28 **casualty loss**, or transfers of beneficial ownership of a motor vehicle owned by
29 a trust.

30 4. Notification under this section is only required for transfers of
31 ownership that would otherwise require registration and an application for
32 certificate of title in this state under section 301.190, and is for informational
33 purposes only and does not constitute an assignment or release of any interest in
34 the vehicle.

35 5. Retail sales made by licensed dealers including sales of new vehicles
36 shall be reported pursuant to the provisions of section 301.280.

301.227. 1. Whenever a vehicle is sold for salvage, dismantling or
2 rebuilding, the purchaser shall forward to the director of revenue within ten days
3 the certificate of ownership or salvage certificate of title and the proper
4 application and fee of eight dollars and fifty cents, and the director shall issue a
5 negotiable salvage certificate of title to the purchaser of the salvaged
6 vehicle. [On vehicles not more than seven years old, it shall be mandatory that
7 the purchaser apply for a salvage title, but on vehicles over seven years old,
8 application for a salvage title shall be optional on the part of the purchaser.]
9 Whenever a vehicle is sold for destruction and a salvage certificate of title,
10 junking certificate, or certificate of ownership exists, the seller, if licensed under
11 sections 301.217 to 301.221, shall forward the certificate to the director of
12 revenue within ten days, with the notation of the date sold for destruction and
13 the name of the purchaser clearly shown on the face of the certificate.

14 2. Whenever a vehicle is classified as "junk", as defined in section 301.010,
15 the purchaser may forward to the director of revenue the salvage certificate of
16 title or certificate of ownership and the director shall issue a negotiable junking
17 certificate to the purchaser of the vehicle. The director may also issue a junking
18 certificate to a possessor of a vehicle manufactured twenty-six years or more prior
19 to the current model year who has a bill of sale for said vehicle but does not
20 possess a certificate of ownership, provided no claim of theft has been made on
21 the vehicle and the highway patrol has by letter stated the vehicle is not listed
22 as stolen after checking the registration number through its nationwide computer
23 system. Such certificate may be granted within thirty days of the submission of
24 a request.

25 3. Upon receipt of a properly completed application for a junking
26 certificate, the director of revenue shall issue to the applicant a junking
27 certificate which shall authorize the holder to possess, transport, or, by

28 assignment, transfer ownership in such parts, scrap or junk, and a certificate of
29 title shall not again be issued for such vehicle; except that, the initial purchaser
30 shall, within ninety days, be allowed to rescind his application for a junking
31 certificate by surrendering the junking certificate and apply for a salvage
32 certificate of title in his name. The seller of a vehicle for which a junking
33 certificate has been applied for or issued shall disclose such fact in writing to any
34 prospective buyers before sale of such vehicle; otherwise the sale shall be voidable
35 at the option of the buyer.

36 4. No scrap metal operator shall acquire or purchase a motor vehicle or
37 parts thereof without, at the time of such acquisition, receiving the original
38 certificate of title or salvage certificate of title or junking certificate from the
39 seller of the vehicle or parts, unless the seller is a licensee under sections 301.219
40 to 301.221.

41 5. All titles and certificates required to be received by scrap metal
42 operators from nonlicensees shall be forwarded by the operator to the director of
43 revenue within ten days of the receipt of the vehicle or parts.

44 6. The scrap metal operator shall keep a record, for three years, of the
45 seller's name and address, the salvage business license number of the licensee,
46 date of purchase, and any vehicle or parts identification numbers open for
47 inspection as provided in section 301.225.

48 7. Notwithstanding any other provision of this section, a motor vehicle
49 dealer as defined in section 301.550 and licensed under the provisions of sections
50 301.550 to 301.572 may negotiate one reassignment of a salvage certificate of title
51 on the back thereof.

52 8. Notwithstanding the provisions of subsection 1 of this section, an
53 insurance company which settles a claim for a stolen vehicle **may apply for and**
54 shall be issued a negotiable salvage certificate of title without the payment of any
55 fee upon proper application within thirty days after settlement of the claim for
56 such stolen vehicle. However, if the insurance company upon recovery of a stolen
57 vehicle determines that the stolen vehicle has not sustained damage to the extent
58 that the vehicle would have otherwise been declared a salvage vehicle pursuant
59 to subdivision (51) of section 301.010, then the insurance company may have the
60 vehicle inspected by the Missouri state highway patrol, or other law enforcement
61 agency authorized by the director of revenue, in accordance with the inspection
62 provisions of subsection 9 of section 301.190. Upon receipt of title application,
63 applicable fee, the completed inspection, and the return of any previously issued

64 negotiable salvage certificate, the director shall issue an original title with no
65 salvage **or prior salvage** designation. Upon the issuance of an original title the
66 director shall remove any indication of the negotiable salvage title previously
67 issued to the insurance company from the department's electronic records.

301.560. 1. In addition to the application forms prescribed by the
2 department, each applicant shall submit the following to the department:

3 (1) Every application other than a renewal application for a motor vehicle
4 franchise dealer shall include a certification that the applicant has a bona fide
5 established place of business. When the application is being made for licensure
6 as a manufacturer, motor vehicle dealer, wholesale motor vehicle dealer,
7 wholesale motor vehicle auction or a public motor vehicle auction, certification
8 shall be performed by a uniformed member of the Missouri state highway patrol
9 stationed in the troop area in which the applicant's place of business is located;
10 except, that in counties of the first classification, certification may be performed
11 by an officer of a metropolitan police department when the applicant's established
12 place of business of distributing or selling motor vehicles or trailers is in the
13 metropolitan area where the certifying metropolitan police officer is
14 employed. When the application is being made for licensure as a boat
15 manufacturer or boat dealer, certification shall be performed by a uniformed
16 member of the Missouri state water patrol stationed in the district area in which
17 the applicant's place of business is located or by a uniformed member of the
18 Missouri state highway patrol stationed in the troop area in which the applicant's
19 place of business is located or, if the applicant's place of business is located
20 within the jurisdiction of a metropolitan police department in a first class county,
21 by an officer of such metropolitan police department. A bona fide established
22 place of business for any new motor vehicle franchise dealer or used motor vehicle
23 dealer shall include a permanent enclosed building or structure, either owned in
24 fee or leased and actually occupied as a place of business by the applicant for the
25 selling, bartering, trading or exchanging of motor vehicles or trailers and wherein
26 the public may contact the owner or operator at any reasonable time, and wherein
27 shall be kept and maintained the books, records, files and other matters required
28 and necessary to conduct the business. The applicant's place of business shall
29 contain a working telephone which shall be maintained during the entire
30 registration year. In order to qualify as a bona fide established place of business
31 for all applicants licensed pursuant to this section there shall be an exterior sign
32 displayed carrying the name of the business set forth in letters at least six inches

33 in height and clearly visible to the public and there shall be an area or lot which
34 shall not be a public street on which one or more vehicles may be displayed,
35 except when licensure is for a wholesale motor vehicle dealer, a lot and sign shall
36 not be required. The sign shall contain the name of the dealership by which it
37 is known to the public through advertising or otherwise, which need not be
38 identical to the name appearing on the dealership's license so long as such name
39 is registered as a fictitious name with the secretary of state, has been approved
40 by its line-make manufacturer in writing in the case of a new motor vehicle
41 franchise dealer and a copy of such fictitious name registration has been provided
42 to the department. When licensure is for a boat dealer, a lot shall not be
43 required. In the case of new motor vehicle franchise dealers, the bona fide
44 established place of business shall include adequate facilities, tools and personnel
45 necessary to properly service and repair motor vehicles and trailers under their
46 franchisor's warranty. **Dealers who sell only emergency vehicles as**
47 **defined in section 301.550 are exempt from maintaining a bona fide**
48 **place of business, including the related law enforcement certification**
49 **requirements, and from meeting the minimum yearly sales;**

50 (2) If the application is for licensure as a manufacturer, boat
51 manufacturer, new motor vehicle franchise dealer, used motor vehicle dealer,
52 wholesale motor vehicle auction, boat dealer or a public motor vehicle auction, a
53 photograph, not to exceed eight inches by ten inches, showing the business
54 building and sign shall accompany the initial application. In the case of a
55 manufacturer, new motor vehicle franchise dealer or used motor vehicle dealer,
56 the photograph shall include the lot of the business. A new motor vehicle
57 franchise dealer applicant who has purchased a currently licensed new motor
58 vehicle franchised dealership shall be allowed to submit a photograph of the
59 existing dealership building, lot and sign but shall be required to submit a new
60 photograph upon the installation of the new dealership sign as required by
61 sections 301.550 to 301.573. Applicants shall not be required to submit a
62 photograph annually unless the business has moved from its previously licensed
63 location, or unless the name of the business or address has changed, or unless the
64 class of business has changed;

65 (3) If the application is for licensure as a wholesale motor vehicle dealer
66 or as a boat dealer, the application shall contain the business address, not a post
67 office box, and telephone number of the place where the books, records, files and
68 other matters required and necessary to conduct the business are located and

69 where the same may be inspected during normal daytime business
70 hours. Wholesale motor vehicle dealers and boat dealers shall file reports as
71 required of new franchised motor vehicle dealers and used motor vehicle dealers;

72 (4) Every applicant as a new motor vehicle franchise dealer, a used motor
73 vehicle dealer, a wholesale motor vehicle dealer, or boat dealer shall furnish with
74 the application a corporate surety bond or an irrevocable letter of credit as
75 defined in section 400.5-103, RSMo, issued by any state or federal financial
76 institution in the penal sum of twenty-five thousand dollars on a form approved
77 by the department. The bond or irrevocable letter of credit shall be conditioned
78 upon the dealer complying with the provisions of the statutes applicable to new
79 motor vehicle franchise dealers, used motor vehicle dealers, wholesale motor
80 vehicle dealers and boat dealers, and the bond shall be an indemnity for any loss
81 sustained by reason of the acts of the person bonded when such acts constitute
82 grounds for the suspension or revocation of the dealer's license. The bond shall
83 be executed in the name of the state of Missouri for the benefit of all aggrieved
84 parties or the irrevocable letter of credit shall name the state of Missouri as the
85 beneficiary; except, that the aggregate liability of the surety or financial
86 institution to the aggrieved parties shall, in no event, exceed the amount of the
87 bond or irrevocable letter of credit. The proceeds of the bond or irrevocable letter
88 of credit shall be paid upon receipt by the department of a final judgment from
89 a Missouri court of competent jurisdiction against the principal and in favor of
90 an aggrieved party;

91 (5) Payment of all necessary license fees as established by the
92 department. In establishing the amount of the annual license fees, the
93 department shall, as near as possible, produce sufficient total income to offset
94 operational expenses of the department relating to the administration of sections
95 301.550 to 301.573. All fees payable pursuant to the provisions of sections
96 301.550 to 301.573, other than those fees collected for the issuance of dealer
97 plates or certificates of number collected pursuant to subsection 6 of this section,
98 shall be collected by the department for deposit in the state treasury to the credit
99 of the "Motor Vehicle Commission Fund", which is hereby created. The motor
100 vehicle commission fund shall be administered by the Missouri department of
101 revenue. [The provisions of section 33.080, RSMo, to the contrary
102 notwithstanding, money in such fund shall not be transferred and placed to the
103 credit of the general revenue fund until the amount in the motor vehicle
104 commission fund at the end of the biennium exceeds two times the amount of the

105 appropriation from such fund for the preceding fiscal year or, if the department
 106 requires permit renewal less frequently than yearly, then three times the
 107 appropriation from such fund for the preceding fiscal year. The amount, if any,
 108 in the fund which shall lapse is that amount in the fund which exceeds the
 109 multiple of the appropriation from such fund for the preceding fiscal year.] **At**
 110 **the end of each biennium and after all statutorily or constitutionally**
 111 **required transfer of funds have been made, the state treasurer shall**
 112 **transfer the balance in the motor vehicle commission fund, except for**
 113 **gifts, donations, bequests, or money received from a federal source, in**
 114 **excess of two hundred percent of the previous fiscal year's**
 115 **expenditures into the state general revenue fund.**

116 2. In the event a new manufacturer, boat manufacturer, motor vehicle
 117 dealer, wholesale motor vehicle dealer, boat dealer, wholesale motor vehicle
 118 auction or a public motor vehicle auction submits an application for a license for
 119 a new business and the applicant has complied with all the provisions of this
 120 section, the department shall make a decision to grant or deny the license to the
 121 applicant within eight working hours after receipt of the dealer's application,
 122 notwithstanding any rule of the department.

123 3. Upon the initial issuance of a license by the department, the
 124 department shall assign a distinctive dealer license number or certificate of
 125 number to the applicant and the department shall issue one number plate or
 126 certificate bearing the distinctive dealer license number or certificate of number
 127 within eight working hours after presentment of the application. Upon the
 128 renewal of a boat dealer, boat manufacturer, manufacturer, motor vehicle dealer,
 129 public motor vehicle auction, wholesale motor vehicle dealer or wholesale motor
 130 vehicle auction, the department shall issue the distinctive dealer license number
 131 or certificate of number as quickly as possible. The issuance of such distinctive
 132 dealer license number or certificate of number shall be in lieu of registering each
 133 motor vehicle, trailer, vessel or vessel trailer dealt with by a boat dealer, boat
 134 manufacturer, manufacturer, public motor vehicle auction, wholesale motor
 135 vehicle dealer, wholesale motor vehicle auction or motor vehicle dealer.

136 4. Notwithstanding any other provision of the law to the contrary, the
 137 department shall assign the following distinctive dealer license numbers to:

- 138 New motor vehicle franchise dealers D-0 through D-999
- 139 New [motor vehicle franchise and commercial
- 140 motor vehicle] **powersport dealers** D-1000 through D-1999

141 Used motor vehicle [dealers] **and used**
 142 **powersport dealers** 000 through [D-5399] **D-9999**
 143 [and D-6000 through D-9999]
 144 Wholesale motor vehicle dealers [W-1000] **W-0** through W-1999
 145 Wholesale motor vehicle auctions [W-2000] **WA-0** through [W-2999] **WA-999**
 146 **New and used** trailer dealers T-0 through T-9999
 147 Motor vehicle [and], trailer, **and boat** manufacturers [M-0] **DM-0** through
 148 [M-9999] **DM-999**
 149 [Motorcycle dealers D-5400 through D-5999]
 150 Public motor vehicle auctions [A-1000] **A-0** through A-1999
 151 Boat dealers [and boat manufacturers] [B-0] **M-0** through [B-9999] **M-9999**
 152 **New and used recreational motor vehicle dealers** **RV-0** through **RV-9999**
 153 **The provisions of this subsection shall become effective on the date the**
 154 **director of the department of revenue begins to reissue new license**
 155 **plates under section 301.130, or on December 1, 2008, whichever occurs**
 156 **first. If the director of revenue begins reissuing new license plates**
 157 **under the authority granted under section 301.130 prior to December**
 158 **1, 2008, the director of the department of revenue shall notify the**
 159 **revisor of statutes of such fact.**

160 5. Upon the sale of a currently licensed new motor vehicle franchise
 161 dealership the department shall, upon request, authorize the new approved dealer
 162 applicant to retain the selling dealer's license number and shall cause the new
 163 dealer's records to indicate such transfer.

164 6. In the case of **new motor vehicle** manufacturers [and], motor vehicle
 165 dealers, **powersport dealers, recreational motor vehicle dealers, and**
 166 **trailer dealers**, the department shall [also] issue one number plate bearing the
 167 distinctive dealer license number **and two additional number plates** to the
 168 applicant upon payment by the manufacturer or dealer of a fifty dollar fee **for**
 169 **the number plate bearing the distinctive dealer license number and**
 170 **twenty-one dollar fee for the additional number plates.** Such license
 171 plates shall be made with fully reflective material with a common color scheme
 172 and design, shall be clearly visible at night, and shall be aesthetically attractive,
 173 as prescribed by section 301.130. Boat dealers and boat manufacturers shall be
 174 entitled to one certificate of number bearing such number upon the payment of
 175 a fifty dollar fee. [As many] Additional number plates [as may be desired by
 176 manufacturers and motor vehicle dealers] and as many additional certificates of

177 number [as may be desired by boat dealers and boat manufacturers] may be
178 obtained upon payment of a fee of ten dollars and fifty cents for each additional
179 plate or certificate. **New motor vehicle manufacturers shall not be issued**
180 **or possess more than three hundred forty-seven additional number**
181 **plates or certificates of number annually. New and used motor vehicle**
182 **dealers, powersport dealers, wholesale motor vehicle dealers, boat**
183 **dealers, and trailer dealers are limited to one additional plate or**
184 **certificate of number per ten-unit qualified transactions annually. New**
185 **and used recreational motor vehicle dealers are limited to two**
186 **additional plates or certificate of number per ten-unit qualified**
187 **transactions annually for their first fifty transactions and one**
188 **additional plate or certificate of number per ten-unit qualified**
189 **transactions thereafter. An applicant seeking the issuance of an initial**
190 **license shall indicate on his or her initial application the applicant's**
191 **proposed annual number of sales in order for the director to issue the**
192 **appropriate number of additional plates or certificates of number. A**
193 motor vehicle dealer, **trailer dealer, boat dealer, powersport dealer,**
194 **recreational motor vehicle dealer, motor vehicle** manufacturer, boat
195 manufacturer, [public motor vehicle auction,] **or** wholesale motor vehicle dealer
196 [or wholesale motor vehicle auction] obtaining a **distinctive** dealer license plate
197 or certificate of number or additional license plate or additional certificate of
198 number, throughout the calendar year, shall be required to pay a fee for such
199 license plates or certificates of number computed on the basis of one-twelfth of the
200 full fee prescribed for the original and duplicate number plates or certificates of
201 number for such dealers' licenses, multiplied by the number of months remaining
202 in the licensing period for which the dealer or manufacturers shall be required
203 to be licensed. In the event of a renewing dealer, the fee due at the time of
204 renewal shall not be prorated. **Wholesale and public auctions shall be**
205 **issued a certificate of dealer registration in lieu of a dealer number**
206 **plate. In order for dealers to obtain number plates or certificates**
207 **under this section, dealers shall submit to the department of revenue**
208 **on August first of each year a statement certifying, under penalty of**
209 **perjury, the dealer's number of sales during the reporting period of**
210 **July first of the immediately preceding year to July thirtieth of the**
211 **present year.**

212 7. The plates issued pursuant to subsection 3 or 6 of this section may be

213 displayed on any motor vehicle owned **by a new motor vehicle**
214 **manufacturer. The plates issued pursuant to subsection 3 or 6 of this**
215 **section may be displayed on any motor vehicle or trailer owned** and held
216 for resale by [the] a motor vehicle dealer [or manufacturer, and used] **for use** by
217 a customer who is test driving the motor vehicle, [or is used] **for use and**
218 **display purposes during, but not limited to, parades, private events,**
219 **charitable events, or for use** by an employee or officer, but shall not be
220 displayed on any motor vehicle or trailer hired or loaned to others or upon any
221 regularly used service or wrecker vehicle. Motor vehicle dealers may display
222 their dealer plates on a tractor, truck or trailer to demonstrate a vehicle under
223 a loaded condition. Trailer dealers may display their dealer license plates in like
224 manner, except such plates may only be displayed on trailers owned and held for
225 resale by the trailer dealer.

226 8. The certificates of number issued pursuant to subsection 3 or 6 of this
227 section may be displayed on any vessel or vessel trailer owned and held for resale
228 by a boat manufacturer or a boat dealer, and used by a customer who is test
229 driving the vessel or vessel trailer, or is used by an employee or officer **on a**
230 **vessel or vessel trailer only**, but shall not be displayed on any **motor vehicle**
231 **owned by a boat manufacturer, boat dealer, or trailer dealer, or** vessel
232 or vessel trailer hired or loaned to others or upon any regularly used service
233 vessel or vessel trailer. Boat dealers and **boat** manufacturers may display their
234 certificate of number on a vessel or vessel trailer [which is being transported]
235 **when transporting a vessel or vessels** to an exhibit or show.

236 9. (1) [Beginning August 28, 2006,] Every application for the issuance of
237 a used motor vehicle dealer's license shall be accompanied by proof that the
238 applicant, within the last twelve months, has completed an educational seminar
239 course approved by the department as prescribed by subdivision (2) of this
240 subsection. Wholesale and [retail] **public auto auctions and applicants**
241 **currently holding a new or used license for a separate dealership** shall
242 be exempt from the requirements of this subsection. The provisions of this
243 subsection shall not apply to **current new motor vehicle franchise dealers**
244 **or motor vehicle leasing agencies or applicants for a new motor vehicle**
245 franchise [dealers] or a motor vehicle leasing agency. The provisions of this
246 subsection shall not apply to used motor vehicle dealers who were licensed prior
247 to August 28, 2006.

248 (2) The educational seminar shall include, but is not limited to, the dealer

249 requirements of sections 301.550 to 301.573, the rules promulgated to implement,
250 enforce, and administer sections 301.550 to 301.570, and any other rules and
251 regulations promulgated by the department.

301.640. 1. **[Upon] Within five business days after** the satisfaction
2 of any lien or encumbrance of a motor vehicle or trailer, the lienholder shall[,
3 within ten business days] release the lien or encumbrance on the certificate or a
4 separate document, and mail or deliver the certificate or a separate document to
5 the owner or any person who delivers to the lienholder an authorization from the
6 owner to receive the certificate or such documentation. The release on the
7 certificate or separate document shall be notarized. Each perfected subordinate
8 lienholder, if any, shall release such lien or encumbrance as provided in this
9 section for the first lienholder. The owner may cause the certificate to be mailed
10 or delivered to the director of revenue, who shall issue a new certificate of
11 ownership upon application and payment of the required fee. A lien or
12 encumbrance shall be satisfied for the purposes of this section when a lienholder
13 receives payment in full in the form of certified funds, as defined in section
14 381.410, RSMo, **or when the lienholder receives payment in full**
15 **electronically or by way of electronic funds transfer, whichever first**
16 **occurs.**

17 2. If the electronic certificate of ownership is in the possession of the
18 director of revenue, the lienholder shall notify the director within [ten] **five**
19 **business days [of] after** any release of a lien and provide the director with the
20 most current address of the owner **or any person who delivers to the**
21 **lienholder an authorization from the owner to receive the certificate**
22 **or such documentation.** The director shall note such release on the electronic
23 certificate and if no other lien exists the director shall mail or deliver the
24 certificate free of any lien to the owner **or any person who has delivered to**
25 **the lienholder an authorization from the owner to receive the**
26 **certificate or such documentation from the director.**

27 3. If the purchase price of a motor vehicle or trailer did not exceed six
28 thousand dollars at the time of purchase, a lien or encumbrance which was not
29 perfected by a motor vehicle financing corporation whose net worth exceeds one
30 hundred million dollars, or a depository institution, shall be considered satisfied
31 within six years from the date the lien or encumbrance was originally perfected
32 unless a new lien or encumbrance has been perfected as provided in section
33 301.600. This subsection does not apply to motor vehicles or trailers for which

34 the certificate of ownership has recorded in the second lienholder portion the
35 words "subject to future advances".

36 4. Any lienholder who fails to **timely** comply with subsection 1 or 2 of this
37 section shall pay to the person or persons satisfying the lien or encumbrance
38 [twenty-five dollars for the first ten business days after expiration of the time
39 period prescribed in subsection 1 or 2 of this section, and such payment shall
40 double for each ten days thereafter in which there is continued noncompliance,
41 up to a maximum of five hundred dollars for each lien] **liquidated damages up**
42 **to a maximum of two thousand five hundred dollars for each**
43 **lien. Liquidated damages shall be five hundred dollars if the lienholder**
44 **does not comply within five business days after satisfaction of the lien**
45 **or encumbrance. Liquidated damages shall be one thousand dollars if**
46 **the lienholder does not comply within ten business days after**
47 **satisfaction of the lien or encumbrance. Liquidated damages shall be**
48 **two thousand dollars if the lienholder does not comply within fifteen**
49 **business days after satisfaction of the lien or encumbrance. Liquidated**
50 **damages shall be two thousand five hundred dollars if the lienholder**
51 **does not comply within twenty business days after satisfaction of the**
52 **lien or encumbrance. If delivery of the certificate or other lien release is made**
53 **by mail, the delivery date is the date of the postmark for purposes of this**
54 **subsection. In computing any period of time prescribed or allowed by**
55 **this section, the day of the act or event after which the designated**
56 **period of time begins to run is not to be counted. However, the last day**
57 **of the period so computed is to be included, unless it is a Saturday,**
58 **Sunday, or a legal holiday, in which event the period runs until the end**
59 **of the next day that is not a Saturday, Sunday, or legal holiday.**

60 5. Any person who knowingly and intentionally sends in a separate
61 document releasing a lien of another without authority to do so shall be guilty of
62 a class C felony.

304.022. 1. Upon the immediate approach of an emergency vehicle giving
2 audible signal by siren or while having at least one lighted lamp exhibiting red
3 light visible under normal atmospheric conditions from a distance of five hundred
4 feet to the front of such vehicle or a flashing blue light authorized by section
5 307.175, RSMo, the driver of every other vehicle shall yield the right-of-way and
6 shall immediately drive to a position parallel to, and as far as possible to the
7 right of, the traveled portion of the highway and thereupon stop and remain in

8 such position until such emergency vehicle has passed, except when otherwise
9 directed by a police or traffic officer.

10 2. Upon approaching a stationary emergency vehicle displaying lighted
11 red or red and blue lights, the driver of every motor vehicle shall:

12 (1) Proceed with caution and yield the right-of-way, if possible with due
13 regard to safety and traffic conditions, by making a lane change into a lane not
14 adjacent to that of the stationary vehicle, if on a roadway having at least four
15 lanes with not less than two lanes proceeding in the same direction as the
16 approaching vehicle; or

17 (2) Proceed with due caution and reduce the speed of the vehicle,
18 maintaining a safe speed for road conditions, if changing lanes would be unsafe
19 or impossible.

20 3. The motorman of every streetcar shall immediately stop such car clear
21 of any intersection and keep it in such position until the emergency vehicle has
22 passed, except as otherwise directed by a police or traffic officer.

23 4. An "emergency vehicle" is a vehicle of any of the following types:

24 (1) A vehicle operated by the state highway patrol, the state water patrol,
25 the Missouri capitol police, a **conservation agent**, or a state park ranger, those
26 vehicles operated by enforcement personnel of the state highways and
27 transportation commission, police or fire department, sheriff, constable or deputy
28 sheriff, federal law enforcement officer authorized to carry firearms and to make
29 arrests for violations of the laws of the United States, traffic officer or coroner or
30 by a privately owned emergency vehicle company;

31 (2) A vehicle operated as an ambulance or operated commercially for the
32 purpose of transporting emergency medical supplies or organs;

33 (3) Any vehicle qualifying as an emergency vehicle pursuant to section
34 307.175, RSMo;

35 (4) Any wrecker, or tow truck or a vehicle owned and operated by a public
36 utility or public service corporation while performing emergency service;

37 (5) Any vehicle transporting equipment designed to extricate human
38 beings from the wreckage of a motor vehicle;

39 (6) Any vehicle designated to perform emergency functions for a civil
40 defense or emergency management agency established pursuant to the provisions
41 of chapter 44, RSMo;

42 (7) Any vehicle operated by an authorized employee of the department of
43 corrections who, as part of the employee's official duties, is responding to a riot,

44 disturbance, hostage incident, escape or other critical situation where there is the
45 threat of serious physical injury or death, responding to mutual aid call from
46 another criminal justice agency, or in accompanying an ambulance which is
47 transporting an offender to a medical facility;

48 (8) Any vehicle designated to perform hazardous substance emergency
49 functions established pursuant to the provisions of sections 260.500 to 260.550,
50 RSMo.

51 5. (1) The driver of any vehicle referred to in subsection 4 of this section
52 shall not sound the siren thereon or have the front red lights or blue lights on
53 except when such vehicle is responding to an emergency call or when in pursuit
54 of an actual or suspected law violator, or when responding to, but not upon
55 returning from, a fire.

56 (2) The driver of an emergency vehicle may:

57 (a) Park or stand irrespective of the provisions of sections 304.014 to
58 304.025;

59 (b) Proceed past a red or stop signal or stop sign, but only after slowing
60 down as may be necessary for safe operation;

61 (c) Exceed the prima facie speed limit so long as the driver does not
62 endanger life or property;

63 (d) Disregard regulations governing direction of movement or turning in
64 specified directions.

65 (3) The exemptions granted to an emergency vehicle pursuant to
66 subdivision (2) of this subsection shall apply only when the driver of any such
67 vehicle while in motion sounds audible signal by bell, siren, or exhaust whistle
68 as may be reasonably necessary, and when the vehicle is equipped with at least
69 one lighted lamp displaying a red light or blue light visible under normal
70 atmospheric conditions from a distance of five hundred feet to the front of such
71 vehicle.

72 6. No person shall purchase an emergency light as described in this
73 section without furnishing the seller of such light an affidavit stating that the
74 light will be used exclusively for emergency vehicle purposes.

75 7. Violation of this section shall be deemed a class A misdemeanor.

304.170. 1. No vehicle operated upon the highways of this state shall
2 have a width, including load, in excess of ninety-six inches, except clearance
3 lights, rearview mirrors or other accessories required by federal, state or city law
4 or regulation; except that, vehicles having a width, including load, not in excess

5 of one hundred two inches, exclusive of clearance lights, rearview mirrors or other
6 accessories required by law or regulations, may be operated on the interstate
7 highways and such other highways as may be designated by the highways and
8 transportation commission for the operation of such vehicles plus a distance not
9 to exceed ten miles from such interstate or designated highway. Provided
10 however, a recreational vehicle as defined in section 700.010, RSMo, may exceed
11 the foregoing width limits if the appurtenances on such recreational vehicle
12 extend no further than the rearview mirrors. Such mirrors may only extend the
13 distance necessary to provide the required field of view before the appurtenances
14 were attached.

15 2. No vehicle operated upon the interstate highway system or upon any
16 route designated by the chief engineer of the state transportation department
17 shall have a height, including load, in excess of fourteen feet. On all other
18 highways, no vehicle shall have a height, including load, in excess of thirteen and
19 one-half feet, except that any vehicle or combination of vehicles transporting
20 automobiles or other motor vehicles may have a height, including load, of not
21 more than fourteen feet.

22 3. No single motor vehicle operated upon the highways of this state shall
23 have a length, including load, in excess of forty-five feet, except as otherwise
24 provided in this section.

25 4. No bus, recreational motor vehicle or trackless trolley coach operated
26 upon the highways of this state shall have a length in excess of forty-five feet,
27 except that such vehicles may exceed the forty-five feet length when such excess
28 length is caused by the projection of a front safety bumper or a rear safety
29 bumper or both. Such safety bumper shall not cause the length of the bus or
30 recreational motor vehicle to exceed the forty-five feet length limit by more than
31 one foot in the front and one foot in the rear. The term "safety bumper" means
32 any device which may be fitted on an existing bumper or which replaces the
33 bumper and is so constructed, treated, or manufactured that it absorbs energy
34 upon impact.

35 5. No combination of truck-tractor and semitrailer or truck-tractor
36 equipped with dromedary and semitrailer operated upon the highways of this
37 state shall have a length, including load, in excess of sixty feet; except that in
38 order to comply with the provisions of Title 23 of the United States Code (Public
39 Law 97-424), no combination of truck-tractor and semitrailer or truck-tractor
40 equipped with dromedary and semitrailer operated upon the interstate highway

41 system of this state shall have an overall length, including load, in excess of the
42 length of the truck-tractor plus the semitrailer or truck-tractor equipped with
43 dromedary and semitrailer. The length of such semitrailer shall not exceed
44 fifty-three feet.

45 6. In order to comply with the provisions of Title 23 of the United States
46 Code (Public Law 97-424), no combination of truck-tractor, semitrailer and trailer
47 operated upon the interstate highway system of this state shall have an overall
48 length, including load, in excess of the length of the truck-tractor plus the
49 semitrailer and trailer, neither of which semitrailer or trailer shall exceed
50 twenty-eight feet in length, except that any existing semitrailer or trailer up to
51 twenty-eight and one-half feet in length actually and lawfully operated on
52 December 1, 1982, within a sixty-five foot overall length limit in any state, may
53 continue to be operated upon the interstate highways of this state. On those
54 primary highways not designated by the state highways and transportation
55 commission as provided in subsection 10 of this section, no combination of
56 truck-tractor, semitrailer and trailer shall have an overall length, including load,
57 in excess of sixty-five feet; provided, however, the state highways and
58 transportation commission may designate additional routes for such sixty-five foot
59 combinations.

60 7. Automobile transporters, boat transporters, truck-trailer boat
61 transporter combinations, stinger-steered combination automobile transporters
62 and stinger-steered combination boat transporters having a length not in excess
63 of seventy-five feet may be operated on the interstate highways of this state and
64 such other highways as may be designated by the highways and transportation
65 commission for the operation of such vehicles plus a distance not to exceed ten
66 miles from such interstate or designated highway. All length provisions
67 regarding automobile or boat transporters, truck-trailer boat transporter
68 combinations and stinger-steered combinations shall include a semitrailer length
69 not to exceed fifty-three feet and are exclusive of front and rear overhang, which
70 shall be no greater than a three-foot front overhang and no greater than a
71 four-foot rear overhang.

72 8. Driveaway saddlemount combinations having a length not in excess of
73 ~~[seventy-five]~~ **ninety-seven** feet may be operated on the interstate highways of
74 this state and such other highways as may be designated by the highways and
75 transportation commission for the operation of such vehicles plus a distance not
76 to exceed ten miles from such interstate or designated highway. Saddlemount

77 combinations must comply with the safety requirements of Section 393.71 of Title
78 49 of the Code of Federal Regulations and may contain no more than three
79 saddlemounted vehicles and one fullmount.

80 9. No truck-tractor semitrailer-semitrailer combination vehicles operated
81 upon the interstate and designated primary highway system of this state shall
82 have a semitrailer length in excess of twenty-eight feet or twenty-eight and
83 one-half feet if the semitrailer was in actual and lawful operation in any state on
84 December 1, 1982, operating in a truck-tractor semitrailer-semitrailer
85 combination. The B-train assembly is excluded from the measurement of
86 semitrailer length when used between the first and second semitrailer of a
87 truck-tractor semitrailer-semitrailer combination, except that when there is no
88 semitrailer mounted to the B-train assembly, it shall be included in the length
89 measurement of the semitrailer.

90 10. The highways and transportation commission is authorized to
91 designate routes on the state highway system other than the interstate system
92 over which those combinations of vehicles of the lengths specified in subsections
93 5, 6, 7, 8 and 9 of this section may be operated. Combinations of vehicles
94 operated under the provisions of subsections 5, 6, 7, 8 and 9 of this section may
95 be operated at a distance not to exceed ten miles from the interstate system and
96 such routes as designated under the provisions of this subsection.

97 11. Except as provided in subsections 5, 6, 7, 8, 9 and 10 of this section,
98 no other combination of vehicles operated upon the primary or interstate
99 highways of this state plus a distance of ten miles from a primary or interstate
100 highway shall have an overall length, unladen or with load, in excess of sixty-five
101 feet or in excess of fifty-five feet on any other highway, except the state highways
102 and transportation commission may designate additional routes for use by
103 sixty-five foot combinations, seventy-five foot stinger-steered combinations or
104 seventy-five foot saddlemount combinations. Any vehicle or combination of
105 vehicles transporting automobiles, boats or other motor vehicles may carry a load
106 which extends no more than three feet beyond the front and four feet beyond the
107 rear of the transporting vehicle or combination of vehicles.

108 12. (1) Except as hereinafter provided, these restrictions shall not apply
109 to agricultural implements operating occasionally on the highways for short
110 distances, or to self-propelled hay-hauling equipment or to implements of
111 husbandry, or to the movement of farm products as defined in section 400.9-109,
112 RSMo, or to vehicles temporarily transporting agricultural implements or

113 implements of husbandry or roadmaking machinery, or road materials or towing
114 for repair purposes vehicles that have become disabled upon the highways; or to
115 implement dealers delivering or moving farm machinery for repairs on any state
116 highway other than the interstate system.

117 (2) Implements of husbandry and vehicles transporting such machinery
118 or equipment and the movement of farm products as defined in section 400.9.109,
119 RSMo, may be operated occasionally for short distances on state highways when
120 operated between the hours of sunrise and sunset by a driver licensed as an
121 operator or chauffeur.

122 13. As used in this chapter the term "implements of husbandry" means
123 all self-propelled machinery operated at speeds of less than thirty miles per hour,
124 specifically designed for, or especially adapted to be capable of, incidental
125 over-the-road and primary offroad usage and used exclusively for the application
126 of commercial plant food materials or agricultural chemicals, and not specifically
127 designed or intended for transportation of such chemicals and materials.

128 14. The purpose of this section is to permit a single trip per day by the
129 implement of husbandry from the source of supply to a given farm.

130 15. Sludge disposal units may be operated on all state highways other
131 than the interstate system. Such units shall not exceed one hundred thirty-eight
132 inches in width and may be equipped with over-width tires. Such units shall
133 observe all axle weight limits. The chief engineer of the state transportation
134 department shall issue special permits for the movement of such disposal units
135 and may by such permits restrict the movements to specified routes, days and
136 hours.

407.815. As used in sections 407.810 to 407.835, unless the context
2 otherwise requires, the following terms mean:

3 (1) "Administrative hearing commission", the body established in chapter
4 621, RSMo, to conduct administrative hearings;

5 (2) "All-terrain vehicle", any motorized vehicle manufactured and used
6 exclusively for off-highway use which is fifty inches or less in width, with an
7 unladen dry weight of six hundred pounds or less, traveling on three, four or
8 more low pressure tires, with a seat designed to be straddled by the operator, and
9 handlebars for steering control;

10 (3) "Coerce", to force a person to act in a given manner or to compel by
11 pressure or threat but shall not be construed to include the following:

12 (a) Good faith recommendations, exposition, argument, persuasion or

13 attempts at persuasion;

14 (b) Notice given in good faith to any franchisee of such franchisee's
15 violation of terms or provisions of such franchise or contractual agreement;

16 (c) Any other conduct set forth in section 407.830 as a defense to an action
17 brought pursuant to sections 407.810 to 407.835; or

18 (d) Any other conduct set forth in sections 407.810 to 407.835 that is
19 permitted of the franchisor or is expressly excluded from coercion or a violation
20 of sections 407.810 to 407.835;

21 (4) "Franchise" or "franchise agreement", a written arrangement or
22 contract for a definite or indefinite period, in which a person grants to another
23 person a license to use, or the right to grant to others a license to use, a trade
24 name, trademark, service mark, or related characteristics, in which there is a
25 community of interest in the marketing of goods or services, or both, at wholesale
26 or retail, by agreement, lease or otherwise, and in which the operation of the
27 franchisee's business with respect to such franchise is substantially reliant on the
28 franchisor for the continued supply of franchised new motor vehicles, parts and
29 accessories for sale at wholesale or retail;

30 (5) "Franchisee", a person to whom a franchise is granted;

31 (6) "Franchisor", a person who grants a franchise to another person;

32 (7) "Motor vehicle", for the purposes of sections 407.810 to 407.835, any
33 motor-driven vehicle required to be registered pursuant to the provisions of
34 chapter 301, RSMo, except that, motorcycles and all-terrain vehicles as defined
35 in section 301.010, RSMo, shall not be included. **The term "motor vehicle"**
36 **shall also include any engine, transmission, or rear axle, regardless of**
37 **whether attached to a vehicle chassis, that is manufactured for the**
38 **installation in any motor-driven vehicle with a gross vehicle weight**
39 **rating of more than sixteen thousand pounds that is registered for the**
40 **operations on the highways of this state under chapter 301, RSMo;**

41 (8) "New", when referring to motor vehicles or parts, means those motor
42 vehicles or parts which have not been held except as inventory, as that term is
43 defined in subdivision (4) of section 400.9-109, RSMo;

44 (9) "Person", a natural person, sole proprietor, partnership, corporation,
45 or any other form of business entity or organization.

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